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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,593	10/29/2003	Brian Harold Kelley	030618	8306

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QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

EXAMINER
HASSAN, AURANGZEB

ART UNIT	PAPER NUMBER
2182	

NOTIFICATION DATE	DELIVERY MODE
10/10/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com
kascanla@qualcomm.com
nanm@qualcomm.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/697,593	KELLEY, BRIAN HAROLD
	Examiner	Art Unit	
	Aurangzeb Hassan	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 August 2007</u> *(RCE)*

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>2-8,11-13,15,18-22,29-33,35 and 36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>2-8,11-13,15,18-22,29-33,35 and 36</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claim 2 – 8, 11 – 13, 15, 18 – 22, 29 – 33, 35 and 36 are rejected under 35

U.S.C. 103(a) as being unpatentable over Walters et al. (US Patent Number 6,914,695

hereinafter "Walters") in view of Baron (US Publication Number 2003/0196007).

3.   As per claims 29, 33, 35 and 36, Walters teaches a medium, system, method

and device comprising:

a peripheral device (digital camera, element 11, figure 2);

a wireless device comprising (IBM ThinkPad, element 10, figure 2) ;

a computer platform (element 10, figure 2 runs Windows OS, column 2, lines 27

– 32), said computer platform comprising:

a plurality of resident programs, each resident program respectively

associated with a communication protocol (column 5, lines 18 – 21); and

an operating system (Windows, column 2, lines 27 – 32) for managing

resources of said wireless devices and for controlling an interaction of the

wireless device said peripheral device;

wherein

said peripheral device selectively communicates with said wireless device using

a specific communication protocol (Bluetooth, column 5, lines 18 – 21), and

upon said peripheral device communicating with said wireless device, said

operating system identifies (device ID, figure 8) a selected resident program associated

with said specific communication protocol and links said selected resident program with

said peripheral device (column 13, lines 6 – 9), and

said operating system identifies said selected resident program by:

attempting to identify said peripheral device (figure 3) and mapping

an identified peripheral device to a corresponds to one of said resident

programs (HTML interface, column 13, lines 13 – 52).

Although Walters has the Windows operating system that maps peripherals

based upon communication protocols resident on the host device (see note below),

Walters does not explicitly disclose *automatically* mapping the peripheral device.

Baron teaches a medium, system, method and device, wherein:

if a peripheral device is identified, automatically mapping from said

identified peripheral device to a corresponding one of said resident programs (steps 100

– 106, figure 2, when a peripheral is connected the operating system analyzes the

communication and loads a generic driver paragraph [0023]), or

if said peripheral device is not identified, examining a communication protocol

specified by said peripheral device to automatically map to a corresponding one of said

resident programs (the communication protocol specified by the peripheral is the device

resident driver which is examined and transferred in order to map to the resident

program, element 110, figure 2, paragraphs [0005 & 0024]).

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to modify Walters with the device resident drivers of Baron. One of

ordinary skill would be motivated to make such modification in order to reduce

engineering and manufacturing costs associated with providing a driver to a peripheral

post manufacture (paragraph [0003]).

The Examiner notes previously cited Rathbone as extrinsic evidence to the protocol

utilized by the Windows Operating System in the installation of a peripheral. The

operating system first attempts to identify the peripheral and install it based upon

driver/communication protocol already resident in the host device. If the protocol is not

found further attempts and prompts are made to attain communication (operating

system Windows XP detects cameras when first plugged in, page 296 "Scanners and

cameras")

4.   As per claims 2, 11, 18, and 30, Walters teaches a system, method, device, and

medium wherein, the peripheral device communicates with the wireless device through

a wired connection (cable connection, column 6, lines 32 – 43, USB Serial, column 2,

lines 43 – 45).

The examiner cites two wired connectivity options taught by Walters.

5.   As per claims 3, 12, and 19, Walters teaches a system, method, and device

wherein, the peripheral device communicates with the wireless device through a

wireless connection (Bluetooth, column 6, lines 32 – 47, infrared, column 2, lines 41 –

43).

The examiner cites two wireless connectivity options taught by Walters.

6.   As per claims 4, 13, 20, and 31, Walters teaches a system, method, device, and

medium wherein said attempting to identify comprises the peripheral device sending a

class identifier (registered camera ID, column 8, lines 16 – 19) to the operating system

of the wireless device and said successfully identified comprises the operating system

determining the type of the peripheral device and selecting a resident program

corresponding to a appropriate handler for that peripheral device based upon the class

identifier (column 8, lines 11 – 51).

7.   As per claims 5, 21, and 32, Walters teaches a system, device, and medium

wherein said attempting to identify comprises the peripheral device sending a specific

identifier (ID, column 8, lines 16 – 19) to the operating system of the wireless device

and said successfully identified comprises the operating system determining the type of

the peripheral device and selecting a resident program (column 8, lines 11 – 51)

corresponding to an appropriate handler for that peripheral device based upon the

specific identifier (column 8, lines 64 – 67, column 9, lines 1 – 23).

8.   As per claims 6, 15, and 22, Walters teaches a system, method and device

wherein the peripheral uses the wireless device as a communication portal to the

Internet (column 11, lines 14 – 19).

9.   As per claim 7, Walters teaches a system wherein, the peripheral device uses

the wireless device as a communication portal over a telephone network (element 205,

figure 4, column 9, lines 3 – 6).

10.   As per claim 8, Walters teaches a system wherein, the peripheral device

communicates with the computer platform of the wireless device through the

communication portal of the computer platform (Bluetooth, column 5, lines 18 – 21).

Response to Arguments

11.   Applicant's arguments with respect to claims 2 – 8, 11 – 13, 15, 18 – 22, 29 – 33,

35 and 36 pertain to newly amended limitations that have been considered but are moot

in view of the new ground(s) of rejection.
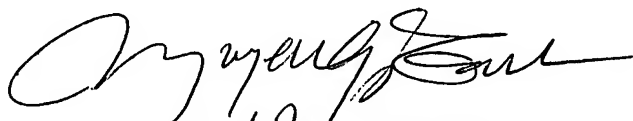
Conclusion

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aurangzeb Hassan whose telephone number is (571) 272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TANH Q NGUYEN
PRIMARY EXAMINER
. TECHNOLOGY CENTER 2100

AH

October 1, 2007